IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.24576 of 2008
ANITA DEVI wife of Sri Bhakti Ram,
R/o village Majhaura P.S.Riga District Sitamarhi.
Versus
STATE OF BIHAR
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3 16.10.2008 The F.I.R. was lodged under Section 302/34 of the Indian Penal Code against the petitioner and three others named and some unknown criminals.

Heard.

The informant who is son of the deceased alleged that the deceased, who was a *Chaukidar* had gone to perform his duty in the night of 16th August 2007 at *Barh Rahat Bhandar,Riga Pustakalaya* and in the ensuing morning, he (informant) heard that the petitioner and other F.I.R. named accused had killed the deceased by causing assault by means of *Khanti, Silaut and Dab*. Learning this, the informant went there and he found that the deceased was lying there dead with injuries on his knee and blood was coming out of nose and mouth and there was black mark on the neck and parietal region. The informant further stated that sister and *Bahnoi* of one Bhakti Ram usually used to quarrel and the deceased being the *Chaukidar* used to chide and scold Bhakti Ram and that due to that anguish Bhakti Ram got the deceased killed.

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Learned counsel for the petitioner submits that petitioner's complicity is alleged only on the ground of suspicion without there being any specific material to connect the petitioner with the crime.

Mr. S.R.Haque, learned A.P.P. refers to some paragraphs of the case diary containing statement of witnesses and he

also submitted that these witnesses have said that they had heard the cries of the deceased in the night of occurrence and that in the ensuing morning, they had learnt from the villagers about the commission of the crime at the hands of the petitioner and others.

Any other specific material is not pointed out by the learned A.P.P.

Petitioner is said to be in custody since 17th August 2007.

Under the circumstances, petitioner Anita Devi is admitted to bail on her furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Sitamarhi in Riga P.S.Case No. 112 of 2007.

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Jay/ **(C.M. Prasad,J)**